

Thomas Amodio, Bar No. 8511142
REEVES AMODIO LLC
500 L Street, Suite 300
Anchorage, AK 99501
Telephone: (907) 222-7100
Facsimile: (907) 222-7199
tom@reevesamodio.com

Roger W. Yoerges (*pro hac vice*)
Timothy A. Work (*pro hac vice*)
Mark Murphy (*pro hac vice*)
STEPTOE & JOHNSON LLP
1330 Connecticut Avenue, NW
Washington, DC 20036-1795
Telephone: (202) 429-3000
Facsimile: (202) 429-3902
ryoerges@steptoe.com
twork@steptoe.com
mmurphy@steptoe.com

Anthony A. Onorato (*pro hac vice*)
FISHER BROYLES LLP
445 Park Avenue, Ninth Floor
New York, NY 10022
Telephone: (202) 459-3599
Facsimile: (516) 706-9877
tony.onorato@fisherbroyles.com

Attorneys for Plaintiff Pebble Limited Partnership

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

PEBBLE LIMITED PARTNERSHIP,

Plaintiff,

vs.

ENVIRONMENTAL PROTECTION
AGENCY, *et al.*

Defendants.

**DECLARATION OF ANTHONY A.
ONORATO IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION**

**CIVIL ACTION NO.
3:14-cv-00171 HRH**

/

I, Anthony A. Onorato, state and declare pursuant to 28 U.S.C. § 1746 as follows:

1. I am an attorney with Fisher Broyles LLP (“Fisher Broyles”), counsel for Plaintiff Pebble Limited Partnership (“PLP”) in this matter. I was previously an attorney with Steptoe & Johnson LLP (“Steptoe”) during the course of this representation. I submit this declaration in support of Plaintiff’s Motion for Preliminary Injunction. If called as a witness, I would testify consistent with this declaration.

2. As part of my involvement in the representation of PLP, I have knowledge of PLP’s requests for documents under FOIA from the United States Environmental Protection Agency (“EPA”) since June 2014. It is my understanding that between 2011 and 2013, PLP submitted FOIA requests to EPA. PLP also submitted FOIA requests to EPA in January 2014 and June 2014.

3. PLP’s FOIA requests sought documents relating, in general, to EPA’s determination to proceed with its action taken under Clean Water Act Section 404(c), EPA’s assessment of the Bristol Bay Watershed, EPA’s reports concerning that assessment, and EPA’s communications with others regarding these issues.

4. Exhibit A to PLP’s Reply in Support of Its Motion for Preliminary Injunction is a list of documents submitted herewith in support of Plaintiff’s Motion for Preliminary Injunction. Exhibit 211 is an email maintained in PLP’s email management system. Exhibit 212 and Exhibits 214 through 235 are true and correct copies of documents produced by EPA in response to PLP’s FOIA requests. Exhibit 213 is a chart summarizing documents produced by EPA under FOIA that show communications between EPA and persons and groups outside EPA that Plaintiff alleges are relevant for purposes of its Federal Advisory Committee Act claims at issue in this case.

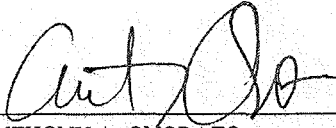
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I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19th day of November, 2014, at Rockville Centre, New York.



ANTHONY A. ONORATO

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CERTIFICATE OF SERVICE

I certify that on this 19th day of November, 2014, I electronically filed a copy of the foregoing using the CM/ECF system, which will electronically serve the attorneys of record in this case.

/s/ Mark Murphy